

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Julie Tossey and Edward Tossey,

Civil No. 05-2586 (RHK/RLE)

Plaintiffs,

**ORDER**

vs.

Performance Capital Management,  
Sweetie Doe and John Doe,

Defendants.

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**IT IS HEREBY ORDERED** that judgment shall be entered dismissing the Complaint on its merits with prejudice and without costs, disbursements or attorney's fees to any party.

**IT IS FURTHER ORDERED** that there being no just reason for delay **JUDGMENT SHALL BE ENTERED ACCORDINGLY.**

Dated: January 4, 2006

s/Richard H. Kyle  
Richard H. Kyle  
United States District Judge